



PLUMAS COUNTY ADMINISTRATIVE POLICIES

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

Issued by: ADA Coordinator, County Administrator's Office

Adopted: 1992

Updated: 6/16/2008

PURPOSE

The Plumas County is committed to ensuring that people with disabilities are able to take part in, and benefit from, the whole range of public programs, services, and activities offered by the County. The County continues to modify its facilities, programs, policies, or practices, as necessary, to ensure such access is provided.

Title II of the Americans with Disabilities Act (ADA) requires that public entities adopt and publish grievance procedures to assure the prompt and equitable resolution of complaints (28 CFR 35.107). In addition, the County has an obligation to investigate and resolve certain accessibility complaints within 90 days of confirmation that a complaint is valid under California Government Code Section 4452. The following policy is intended to standardize the procedures for receiving and addressing complaints. The purpose of this ADA grievance procedure is to resolve as promptly as possible any problems, complaints, or conflicts related to the County's ADA compliance without the need for the complainant to resort to other remedies available under the law.

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Please note: This procedure applies only to the property, programs, and services of the government of the Plumas County. For information or assistance with regard to private property, please contact the County's Chief Building Official at (530)283-7011.

1. WHO MAY FILE A GRIEVANCE?

You or your authorized representative may file an ADA grievance if you believe that:

- The County is not in compliance with the physical access requirements of the Americans with Disabilities Act related to its public facilities, land, or rights-of-way, or
- You or a specific class of individuals have been denied access to participate in a County programs, services, or activities on the basis of disability, or
- You or a specific class of individuals have been otherwise subjected to discrimination on the basis of disability by Plumas County, or
- The County has otherwise violated the ADA.

2. WHEN SHOULD A GRIEVANCE BE FILED?

Before filing a grievance, you may seek informal resolution by contacting the Department Head the affected department (See list in Attachment 1). The County encourages, but does not require, an attempt to resolve concerns informally prior to filing a formal grievance. If your informal concern is not resolved in a timely fashion, you have the right to file a formal grievance under this procedure.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation.

3. WHAT SHOULD THE GRIEVANCE INCLUDE?

You may file your grievance on the attached form (Attachment 2). If you choose not to use the form, your grievance may be filed either in writing or verbally and must include the following information:

- a. Your name, address and telephone number. If a representative is filing the grievance on your behalf, his or her name, address and telephone number must also be included.
- b. A description of the offending behavior(s) or action(s) or violation(s).
- c. The date(s), time(s) and location(s) of the incident(s).
- d. If the incident(s) involved a Plumas County employee(s), his or her name(s) should be included, if you know it.
- e. The name(s) and contact information of witnesses, if any.
- f. If your grievance is being filed on behalf of another person or a group of people, all of the grievant should be described or identified by name, if possible.

- g. The remedy you desire.
- h. Your signature or the signature of your authorized representative.

The County will make every reasonable effort to ensure that confidentiality is maintained throughout the complaint and investigation process, to the extent consistent with the law, adequate investigation, and appropriate corrective action. This means that the County will share information only on a need-to-know basis.

4. WHERE SHOULD I SUBMIT MY GRIEVANCE?

You may file your grievance with the County's designated ADA Coordinator. The ADA Coordinator's name, office address and telephone number are:

Joe Wilson, ADA Coordinator
County Office for Accessibility
555 Main St., Quincy, CA 95971
Phone (530) 283-6070
Fax (530) 283-6103
Email: joewilson@countyofplumas.com

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You may mail your grievance, fax it, e-mail it, or deliver it in person.

If you believe the ADA Coordinator is involved in alleged discrimination, you should submit your grievance to the County Administrator Officer (See Attachment 1).

5. WHAT IF I NEED ASSISTANCE FILLING OUT MY GRIEVANCE?

ADA Grievances may be filed by mail, by phone, or by e-mail. Assistance is available from the ADA Coordinator. You should contact his/her office and request the type of assistance you need. The ADA Grievance Procedure and Grievance Form are available in alternative formats upon request from the ADA Coordinator. An alternate means of filing complaints, such as a personal interview or a tape recording of the complaint, will be made available for individuals with disabilities requiring an alternate means. Verbal grievances should be filed with the ADA Coordinator.

6. WHAT HAPPENS AFTER I FILE MY GRIEVANCE?

After receiving your grievance, the Department Head, ADA Coordinator, or his/her designee, will investigate. The investigation may include, but may not be limited to, interviews with: (a) you; (b) the person(s), if any, who allegedly discriminated against you; and (c) any other person the investigator believes to have relevant knowledge concerning your grievance. The investigator will also consider any written evidence that is given to him/her.

After completing the investigation, the investigator will review the factual information gathered through the investigation to determine whether discrimination has occurred or the ADA has been otherwise violated. The investigator will consider all of the factual information, all the circumstances, and the context in which any alleged incident(s) occurred.

The investigator will then prepare a written report which will include: (1) the results of the investigation; (2) a determination as to whether discrimination occurred or access requirements have been violated; and (3) any appropriate remedy which the County will provide. A copy of the report will be sent to you, and a copy will be sent to both the Department Head and the ADA Coordinator. The ADA Coordinator will then issue a written response to the complaint.

7. WHEN WILL I RECEIVE A RESPONSE?

Within 15 calendar days after receipt of the complaint, the ADA coordinator or his designee will meet with the complainant to discuss the complaint and possible resolutions.

Within 15 calendar days after the meeting, the ADA Coordinator will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille or audio tape. The response will explain the position of Plumas County and offer options for substantive resolution of the complaint.

Complaints involving County program accessibility in general and existing County facilities shall be investigated by the ADA Coordinator, or his/her designee.

Complaints involving new construction or renovations to either public or private structures will be directed to the Planning and Building Services Department.

Complaints involving streets, road or sidewalks will be directed to the Public Works Department

Absent extenuating circumstances, all grievances will be investigated, and a response issued, within 90 days of receipt of the grievance. If a delay is expected, the Department Head or ADA Coordinator will notify you in writing of the reason(s) for the delay, and the date by which you will receive a response.

8. SHOULD I BE CONCERNED THAT A COUNTY OFFICER OR EMPLOYEE MIGHT RETALIATE AGAINST ME IF I COMPLAIN?

The County will not retaliate against you for filing a grievance and will not knowingly permit retaliation by its officers or employees. The County will take reasonable steps to protect you from retaliation by others as a result of filing a grievance. Please let the ADA Coordinator know immediately if you feel you are being retaliated against for filing a grievance.

9. WHAT CAN I DO IF I AM NOT SATISFIED WITH THE RESULTS OF THE COUNTY'S INVESTIGATION?

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after the receipt of the response to the Plumas County, County Administrative Officer. An appeal should be addressed to:

**County of Plumas
County Administrative Officer
520 Main St. Room 309
Quincy CA 95971**

Within 15 calendar days after receipt of the appeal, the County Administrative Officer will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Administrative Officer will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint. Complaints that have been determined by the County Administrative Office to have no merit will not be allowed to repeat the appeal process.

If you are not satisfied with the results of the appeal, you may file a complaint with the appropriate agency or department of the State or Federal government. Contact the U.S. Department of Justice, the U.S. Department of Education Office for Civil Rights, or the California Department of Justice Civil Rights Division for information about how to file a complaint with these agencies. You may also sue the County in federal court.

Using this grievance procedure is not a prerequisite to pursuing any of your other remedies. However, in the interest of a prompt resolution of alleged discrimination, the

County encourages you to use this procedure in addition to any other available remedies you may choose.

10. COMPLAINTS OF IMMEDIATE CONCERN

If the complaint is of immediate concern (for example, if a request for a sign language interpreter for an imminent meeting is denied), the ADA Coordinator will contact the complainant as soon as possible, but no later than 24 hours after receipt of the complaint, to discuss possible resolutions.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the decision to the Plumas County Administrative Officer. As soon as possible, but no later than 24 hours from receipt of the appealed complaint, the County Administrative Officer will contact the complainant to discuss the complaint and possible resolutions.

11. RECORDS

Upon receipt, the complaint will be recorded in the Accessibility Complaint Log, which will include the date received, contact information for the complainant, a brief description of the complaint, and a target date for resolution. Upon resolution, the outcome of each complaint shall also be recorded in the log. All complaints received by the ADA Coordinator, appeals to the County Administrative Officer, and responses from the ADA Coordinator and the Plumas County Board of Supervisors or County Administrative Officer will be kept on file by Plumas County for a period of three years.

12. RESOLUTION

The resolution of any specific grievance will require consideration of varying circumstances, such as the specific nature of the disability; the nature of the access to services, programs, or facilities at issue, the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the County. Accordingly, the resolution by the County of any one grievance does not constitute a precedent upon which the County is bound or upon which other complaining parties may rely.

THIS ADA GRIEVANCE PROCEDURE IS AVAILABLE IN ALTERNATE FORMATS UPON REQUEST.

ADA GRIEVANCE DEPARTMENT RESPONSE

Administrative Officer		
520 Main Street, Room 309 Quincy, CA. 95971	Phone: (530) 283-6315 Fax: (530) 283-6288	Jack Ingstad, CAO jackingstad@countyofplumas.com
Agricultural Commissioner		
1 208 Fairground Road Quincy, CA. 95971	Phone: (530) 283-6365	Keith Mahan, Agricultural Commissioner/Sealer of Weights & Measures keithmahan@countyofplumas.com
Airport Director		
198 Plumas Avenue Quincy, CA. 95971	Phone: (530) 283-6299 Fax: (530) 283-6103	Joe Wilson, Director joewilson@countyofplumas.com
Animal Services		
1 2011VIIIIC; KR ;d Quincy, CA. 95971	Phone: (530) 283-3673 Fax: (530) 283-6023	Keith Mahan, Director keithmahan@countyofplumas.com
Assessor		
Quincy, CA. 95971	Fax: (530) 283-6195	cleonhardt@countyofplumas.com
Auditor/Controller		
520 Main Street, Room 205 Quincy, CA. 95971	Phone: (530) 283-6246 Fax: (530) 283-6442	Shawn Montgomery smontgomery@countyofplumas.com
Board of Supervisors		
520 Main Street, Room 309 Quincy, CA. 95971	Phone: (530) 283-6170 Fax: (530) 283-6288	pcbs@countyofplumas.com
Building Department		
555 Main Street Quincy, CA. 95971	Phone: (530) 283-7011 Fax: (530) 283-6134	John Cunningham, Building Official john cunningham@countyofplumas.com
Child Support Services		
522 Lawrence Street Quincy, CA. 95971	Phone: (530) 283-6264 Fax: (530) 283-6250	Michelle Blackford blackford.michelle@plumas.cse.ca.gov
County Clerk-Recorder		
520 Main Street, Room 102 Quincy, CA. 95971	Phone: (530) 283-6218 Fax: (530) 283-6155	Kathy Williams clerkrecorder@countyofplumas.com
County Clerk-Recorder - Elections Division		
520 Main Street, Room 102 Quincy, CA. 95971	Phone: (530) 283-6256 Fax: (530) 283-6155	Kathy Williams elections@countyofplumas.com
County Clerk-Recorder - Records Management Division		
520 Main Street, Room 416 Quincy, CA. 95971	Phone: (530) 283-6007	Kathy Williams kathyw illiams alcoun ofi lumas.com

<u>County Counsel</u>		
520 Main Street, Room 302 Quincy, CA. 95971	Phone: (530) 283-6240 Fax: (530) 283-6116	James Reichle, Acting Counsel
<u>District Attorney - Criminal Division</u>		
520 Main Street, Room 404 Quincy, CA. 95971	Phone: (530) 283-6303 Fax: (530) 283-6340	Jeff Cunan jeffcunan@sbcglobal.net
<u>Engineering</u>		
555 Main Street Quincy, CA. 95971	Phone: (530) 283-6222	Bob Perrault, County Engineer
<u>Plumas-Sierra County Fair</u>		
PO Box 957 Quincy, CA. 95971	Phone: (530) 283-6272 Fax: (530) 283-6431	John Steffanic johnsteffanic@countyofplumas.com
<u>Facility Services</u>		
198 Plumas Avenue Quincy, CA. 95971	Phone: (530) 283-6299 Fax: (530) 283-6103	Joe Wilson, Director jocwilson@countyofplumas.com
<u>Farm Advisor</u>		
208 Fairground Road Quincy, CA. 95971	Phone: (530) 283-6270 Fax: (530) 283-6088	Holly George, Farm Advisor
<u>Human Resources</u>		
520 Main Street, Room 115 Quincy, CA. 95971	Phone: (530) 283-6444 Fax: (530) 283-6160	Gayla Trumbo gaylatrumbo@countyofplumas.com
<u>Information Technology</u>		
520 Main Street, Room 211 Quincy, CA. 95971	Phone: (530) 283-6263	Dave Preston davepreston@countyofplumas.com
<u>Law Library</u>		
520 Main Street, Room 414 Quincy, CA. 95971	Phone: (530) 283-6325	Judy Morrow lawlibrary@countyofplumas.com
<u>Library</u>		
445 Jackson Street Quincy, CA. 95971	Phone: (530) 283-6310 Fax: (530) 283-3242	Margaret Miles bloomingbooks@hotmail.com
<u>Mental Health</u>		
270 County Hospital Rd. Ste 109 Quincy, CA. 95971	Phone: (530) 283-6307 Fax: (530) 283-6045	John Sebold, Director
<u>Museum</u>		
500 Jackson Street Quincy, CA. 95971	Phone: (530) 283-6320 Fax: (530) 283-6081	Scott Lawson pcmuseum@digitalpath.net
<u>Probation</u>		
1446 East Main Street Quincy, CA. 95971	Phone: (530) 283-6200 Fax: (530) 283-6165	Sharon Reinert, Director sharonreinert@countyofplumas.com

Planning Services		
555 Main Street Quincy, CA. 95971	Phone: (530) 283-7011 Fax: (530) 283-6135	Randy Wilson, Director randywilson@countyofplumas.com
Public Guardian		
PO Box 10388 Quincy, CA. 95971	Phone: (530) 283-6242	Elliott Smart, Director elliottsmart@countyofplumas.com
Public Health Agency		
270 County Hospital Road, Suite 206 Quincy, CA. 95971	Phone: (530) 283-6337 Fax: (530) 283-6425	Mimi Hall mimihall@countyofplumas.com
Public Health Agency - Environmental Health		
Public Health Agency - Health Education		
PO Box 3140 Quincy, CA. 95971	Phone: (530) 283-6337 Fax: (530) 283-6425	Mimi Hall mimihall@countyofplumas.com
Public Works		
1834 East Main Street Quincy, CA. 95971	Phone: (530) 283-6268 Fax: (530) 283-6323	Marty Byrne, Deputy Director martybyrne@countyofplumas.com
Sheriff/Coroner		
1400 East Main Street Quincy, CA. 95971	Phone: (530) 283-6375 Fax: (530) 283-6344	Terry Bergstrand bergstrand@pcso.net
Social Services		
270 County Hospital Road, Suite 207 Quincy, CA. 95971	Phone: (530) 283-6350 Fax: (530) 283-6368	Elliott Smart, Director elliottsmart@countyofplumas.com
Treasurer/Tax Collector		
PO Box 176 Quincy, CA. 95971	Phone: (530) 283-6260 Fax: (530) 283-0946	Susan T. Bryant-Grant, Treasurer susiegrant@countyofplumas.com
Veteran's Services		
270 County Hospital Rd. # 229 Quincy, CA. 95971	Phone: (530) 283-6275 Fax: (503) 283-6146	Sheryl Austin sherylaustin@countyofplumas.com
Victim/Witness		
520 Main Street, Room 407 Quincy, CA. 95971	Phone: (530) 283-6285	Jeff Cunan, Program Executive Director victimwitness@countyofplumas.com